Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 014-08577-1624-129	Date: 09/03/14 · Time: 1850
Location: [redacted] East Bonds Street	City or Station: Carson
Bureau/Station/Facility: Carson Station	Admin. Investigation: ○ YES ◉ NO
Type of Force: Category 3-Resisted Handcuffing, Takedown	
Incident Category: ○1 ○2 ◉3	Deputy Injury: ◉ YES ○ NO · Suspect Injury ◉ YES ○ NO
☐ Call ☐ Observation ☒ Detail	☐ Foot Pursuit ☐ Vehicle Pursuit
IAB Notified: ◉ YES ○ NO · Person Notified: Lt. M. Berg · Emp: [redacted]	IAB Roll Out ◉ YES ○ NO

Involved Employee

E1

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]	[redacted]	DSG

Sex	Race	Height	Weight	Age	Shift	
◉ M ○ F	A	511	190	[redacted]	○ EM ○ Day ◉ PM	◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: Carson Station	Work Assignment (Unit #, Module, etc.): 160W2
Individual Force Used: Resisted Handcuffing	(Directed (Rescue (Medical Assist · Individual Category ◉1 ○2 ○3
☐ Injured ☐ Treated ☐ Admitted Facility:	Coroner Case #

E2

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Opina	Ismael		DSG

Sex	Race	Height	Weight	Age	Shift	
◉ M ○ F	H	510	200	[redacted]	○ EM ○ Day ◉ PM	◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: Carson Station	Work Assignment (Unit #, Module, etc.): 160W2
Individual Force Used: Resisted Handcuffing, Takedown	(Directed (Rescue (Medical Assist · Individual Category ○1 ○2 ◉3
☒ Injured ☐ Treated ☐ Admitted Facility:	Coroner Case #

E_

Employee #	Last Name	First Name	Middle I.	Rank

Sex	Race	Height	Weight	Age	Shift	
○ M ○ F					○ EM ○ Day ○ PM	○ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
Individual Force Used:	(Directed (Rescue (Medical Assist · Individual Category ○1 ○2 ○3
☐ Injured ☐ Treated ☐ Admitted Facility:	Coroner Case #

On Duty Supervisor ☐ Additional Involved Employees

Emp #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Steele	John	M	Sgt	YES ○ NO ◉	YES ○ NO ◉

Supervisor Completing Investigation

Emp #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Vigil	Louis	M	Sgt	YES ○ NO ◉	YES ○ NO ◉

Watch Commander / Supervising Lieutenant

Emp #	Last Name	First Name	Middle I.	Rank
[redacted]	Escamillas	Arthur		Lt

Watch Commander / Supervising Lieutenant's **Signature:** ______ Date ______ Copy Provided to Employee by: ______ Emp #: ______

Captain Chris Marks

Unit Commander **(Print Name)** ______ Unit Commander's **Signature**: ______ Emp #: ______ Date ______

DISCOVERY Use Only
FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

Supervisor's Report on Use of Force
SUSPECT INFORMATION

0 1 4 - 0 8 5 7 7 - 1 6 2 4 - 1 2 9

Suspect Information

S 1

Last Name	First Name	Middle Name	Armed? Select
Pham	Ninh	Dinh	Not Armed

AKA Last Name: First Name: Middle Name:

Sex	Race	Age	Height	Weight	D.O.B	Phone #1: ○ H ○ W ○ C	Phone #2: ○ H ○ W ○ C
(●) Male ○ Female	A	64	502	130	02-08-50	[redacted]	

Street Address: [redacted] City: [redacted] State & Z[redacted]

Booking #: 4083529 Primary Charge Code: 290.012(a)PC Secondary Charge Code: 243(b)PC ☐ Criminal History

Treated on Scene? (●) YES ○ NO Name: L.A. Co. Fire Dept. Unit: Engine 36 Phone #: 323 881 2411

Hospital Admission? ☐ Rec'd Treatment At: Torrance Memorial Coroner Case #: Mental History ☐ User's guide provides direction on this entry

By: Dr. Sulmeyer Address: 3330 Lomita Bl., Torrance Phone #: 310 325 9110

Under Influence: ○ YES (●) NO Substance: 5150 a factor in force? ○ YES (●) NO User's guide provides direction on this entry

Suspect Interview

Date: 09-04-14 Time: 0020 ☒ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: First Name: Middle Name: Armed? Select

AKA Last Name: First Name: Middle Name:

Sex: ○ Male ○ Female Race: Age: Height: D.O.B. Weight: Phone #1: ○ H ○ W ○ C Phone #2: ○ H ○ W ○ C

Street Address: City: State & Zip Code:

Booking #: Primary Charge Code: Secondary Charge Code: ☐ Criminal History

Treated on Scene? ○ YES ○ NO By: Unit: Phone #:

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case #: Mental History ☐ User's guide provides direction on this entry

By: Address: Phone #:

Under Influence: ○ YES ○ NO Substance: 5150 a factor in force? ○ YES ○ NO User's guide provides direction on this entry

Suspect Interview

Date: Time: ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: First Name: Middle Name: Armed? Select

AKA Last Name: First Name: Middle Name:

Sex: ○ Male ○ Female Race: Age: Height: D.O.B. Weight: Phone #1: ○ H ○ W ○ C Phone #2: ○ H ○ W ○ C

Street Address: City: State & Zip Code:

Booking #: Primary Charge Code: Secondary Charge Code: ☐ Criminal History

Treated on Scene? ○ YES ○ NO By: Unit: Phone #:

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case #: Mental History ☐ User's guide provides direction on this entry

By: Address: Phone #:

Under Influence: ○ YES ○ NO Substance: 5150 a factor in force? ○ YES ○ NO User's guide provides direction on this entry

Suspect Interview

Date: Time: ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

014 - 08577 - 1624 - 129

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift: ◯ EM ◯ Day ◯ PM	◯ Regular ◯ OT ◯ Off Duty

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift: ◯ EM ◯ Day ◯ PM	◯ Regular ◯ OT ◯ Off Duty

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift: ◯ EM ◯ Day PM	◯ Regular ◯ OT ◯ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]		[redacted]	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

☐ **Additional Witness**

Supervisor's Report on Use of Force

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Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Pham	S#1	Opina	E#2	UC	NN	--
Pham	S#1	[redacted]	E#1	UC	NN	--
Pham	S#1	[redacted]	E#1	RS	NN	--
Pham	S#1	Opina	E#2	RS	AB	EL
Opina	E#1	Pham	S#1	PH	NN	--
[redacted]	E#2	Pham	S#1	PH	NN	--
Opina	E#2	Pham	S#1	PP	FR	IN

INVESTIGATIVE SUMMARY

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

ADMINISTRATIVE
INVESTIGATIVE SUMMARY
CATEGORY 3 FORCE
#FO2364519

UNIT: **Carson Station**

DATE/TIME: **September 3, 2014, 1910 hours, Wednesday**

LOCATION: [redacted] **East Bonds Street, Carson, CA. 90745**

URN#: **014-08577-1624-129**

NATURE OF INCIDENT:

An Internal Affairs Bureau team comprised of Lieutenant Michael Berg, Sergeants Scott Graham and Louis Vigil, responded to Carson Station to conduct a force review following the force used by deputies during the arrest of Suspect Ninh Pham. Suspect Pham was diagnosed with two fractured ribs (right side 6th and 7th rib) after his arrest.

SUMMARY:

On September 3, 2014, at 1910 hours, Deputies Ismael Opina and [redacted] Carson Special Assignment Unit 160W2, responded to [redacted] East Bonds Street, Carson, in order to arrest Suspect Ninh Pham. Suspect Pham failed to register as a sex offender pursuant to the laws under 290 PC.

IAB Note: Suspect Pham was [redacted]

Deputies Opina and [redacted] contacted Suspect Pham on the sidewalk in front of the location. Deputy [redacted] spoke to Suspect Pham in Vietnamese and explained due to his failure to register as a sex offender, he would be placed under arrest.

Suspect Pham insisted he did not need to register and yelled, "If you touch me, I'm going to kick your ass." As Suspect Pham yelled, he took a fighting stance, raised his clenched fists to his chest area and began to move backwards, away from the deputies. Suspect Pham moved backwards, towards the front door of the location.

Deputies [redacted] and Opina feared Suspect Pham was going to assault them. Deputy [redacted] grabbed Suspect Pham's right wrist, but Suspect Pham swung his arm away and continued walking away from them. Deputy Opina then grabbed Suspect Pham's left wrist his left hand and grabbed his (Suspect Pham's) left tricep with his right hand in an attempt control him. Suspect Pham attempted to pull his left arm away from Deputy Opina, causing Deputy Opina to move towards Suspect Pham. Suspect Pham clinched his right fist as he attempted to turn and face Deputy Opina. Suspect Pham raised his right fist and attempted to punch Deputy Opina in the head. Deputy Opina pushed Suspect Pham against the east wall of the residence, pinning his (Suspect Pham's) right arm against the wall.

Deputy [redacted] attempted to grab hold of Suspect Pham's right arm, but was unable to because it was pinned against the wall. Deputy Opina pulled Suspect Pham away from the wall as Deputy [redacted] attempted to grab hold of him. Suspect Pham pulled his left arm closer to his body and began to tense up. Deputy Opina, fearing Suspect Pham would break their hold and begin assaulting them, released his hold on Suspect Pham's tricep. Deputy Opina immediately placed his right arm behind Suspect Pham's back and his right leg across Suspect Pham's legs, causing Suspect Pham to fall onto the ground on his right side. Suspect Pham held onto Deputy Opina as he fell, causing Deputy Opina to inadvertently land on Suspect Pham's left side.

Deputies [redacted] and Opina handcuffed the suspect without further incident.

Deputies [redacted] and Opina authored supplemental reports detailing their observations and actions during this incident. **Refer to Exhibit "A," pages 6 and 8.**

Suspect Pham was transported to Torrance Memorial Hospital (3330 Lomita Boulevard, Torrance, 310-325-9110) for an "Ok to book." Suspect Pham was examined and treated by Emergency Room Staff, Doctor Gina Sulmeyer. It was discovered that Suspect Pham had two fractures to the 6th and 7th right ribs.

On June 23, 2015, Sergeant Louis Vigil contacted Mr. [redacted] Mr. [redacted] and Ms. [redacted] They were aware of the incident but did not witness the force.

IAB Note: IAB Investigators noted surveillance cameras on the home of Mr. [redacted] Mr. [redacted] said his surveillance cameras attached to his home were installed in January 2015. He said the cameras were not positioned to capture footage of the Suspect Pham's front yard.

The following review is based on written documentation and interviews of witnesses and involved deputies.

INVOLVED PERSONNEL:

[redacted] - Deputy #[redacted]
Carson Station
Unit 160W2
South Patrol Division
Date of Employment: [redacted]
Date Assigned to Unit: [redacted]
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

Opina, Ismael – Deputy, #[redacted]
Carson Station
Unit 160W2
South Patrol Division
Date of Employment: 4/9/07
Date Assigned to Unit: 8/11/13
Prior Shooting Incident(s): [redacted] 
Prior Founded Force Incidents: [redacted]

INVOLVED SUSPECT:

Pham, Ninh Dinh

Sex:	Male
Race:	Asian
Date of Birth:	02/08/50
Height:	5'2
Weight:	120
Booking#	4083529
Charges:	290012 (A) / 243(B) PC

A Consolidated Criminal History System reveals Suspect Pham has [redacted] A copy of Suspect Pham's criminal history is included with this case as **Exhibit "B."**

DEPUTY WITNESSES:

NONE

INVOLVED EMPLOYEE STATEMENTS:

Deputy Ismael Opina

On June 19, 2015, Internal Affairs Bureau Sergeants Louis Vigil and Jeff Smith interviewed Deputy Ismael Opina. The interview was conducted in the Internal Affairs Bureau building and was digitally audio recorded. Deputy Opina was represented by Ms. Maureen Okwousa, Attorney at Law.

Deputy Opina authored a Supplemental Report, documenting the event and his actions. He said his report is a truthful and accurate account of the incident. **Refer to Exhibit "A," page 6.**

Deputy Opina was working the summer enforcement team at Carson Station, Unit 160W2. His partner was Deputy [redacted] On September 3, 2014, Detective Daniel Starkey, Carson Station Detective Bureau, told them that Suspect Ninh Pham had not registered as a sex offender for the year 2014 and was named as a "Suspect" in a crime report. Deputies [redacted] and Opina drove to Suspect Pham's residence to arrest him for the charge of failing to register as a sex offender.

Deputy Opina said Suspect Pham stepped out of his residence and spoke to them in the front yard. Deputy [redacted] explained to Suspect Pham, in Vietnamese and English, their reason for being there and their intent to arrest him.

Deputy Opina told Suspect Pham to turn around and place his hands behind his back. Suspect Pham became upset and took a fighting stance with his left fist clinched and both hands up in front of his chest.

Deputy Opina grabbed Suspect Pham's left wrist with his (Deputy Opina's) left hand and Suspect Pham's tricep area with his right hand. Suspect Pham attempted to break Deputy Opina's hold by pulling downward and away from Deputy Opina. Deputy Opina saw Suspect Pham raise his right hand and believed he was about to punch him. Deputy Opina stood offset behind Suspect Pham and placed him against the garage wall. Deputy Opina held Suspect Pham's right side against the wall to keep him from using his right arm to strike at them.

Deputy Opina said he told Suspect Pham to stop fighting, but Suspect Pham continued to pull and attempt to break his hold on him.

Deputy Opina pulled Suspect Pham away from the wall in order for Deputy [redacted] to

assist in handcuffing Suspect Pham's right hand. Suspect Pham continued to drop his weight and attempt to break free from Deputy Opina's hold.

Deputy Opina felt Suspect Pham movements were causing him to be off balance, and he believed he was going to fall. Deputy Opina feared if he fell the suspect would land on top of him.

Deputy Opina placed his right leg in front of Suspect Pham and pushed him forward, causing Suspect Pham to fall. Suspect Pham grabbed onto Deputy Opina as he fell, causing Deputy Opina to land on him.

Suspect Pham fell onto his right side as Deputy Opina landed on Suspect Pham's left side. Deputy Opina heard Suspect Pham let out a big gasp and say, " All right, all right." Suspect Pham then placed his hands behind his back and was handcuffed without further incident.

Deputy Opina said his intention was never to fall onto Suspect Pham during the take down.

Deputy Opina did not see any injuries on Suspect Pham.

Deputy Opina reported his use of force to Sergeant John Steele, Carson Station Summer Enforcement Team.

> **IAB Note:** Deputy Opina mentioned this incident was witnessed by the [redacted] who was standing in front of the Suspect Pham's residence. During the course of this investigation, it was determined the witness was Mr. [redacted] The [redacted] Mr. [redacted] said he did not witness the force.

The photos used during this interview are included in this casebook with Deputy Opina's transcripts.

For his complete statement, refer to Deputy Opina's interview transcript included in this casebook.

Deputy [redacted]

On June 19, 2015, Internal Affairs Bureau Sergeants Louis Vigil and Jeff Smith interviewed Deputy [redacted] The interview was conducted in the Internal Affairs Bureau building and was digitally audio recorded. Deputy [redacted] was represented by Ms. Maureen Okwousa, Attorney at Law.

Deputy [redacted] authored a Supplemental Report, documenting the event and his actions. He said his report is a truthful and accurate account of the incident. **Refer to Exhibit "A," page 8.**

Deputy [redacted] was working the summer enforcement team at Carson Station, Unit 160W2. His partner was Deputy Ismael Opina. On September 3, 2014, Detective Daniel Starkey, Carson Station Detective Bureau, told them that Suspect Ninh Pham had not registered as a sex offender for the year 2014 and was named as a "Suspect" in a crime report. Deputy [redacted] and Opina drove to Suspect Pham's residence to arrest him for the charge of failing to register as a sex offender.

Deputy [redacted] said Suspect Pham stepped out of his residence and they spoke in the front yard. Deputy [redacted] explained to Suspect Pham, in Vietnamese and English language, their reason for being there and their intent to arrest him.

Suspect Pham became upset, moved his left foot forward, clinched his fist, raised his right hand up his face and his left hand in front of his chest and said, "You touch me, I'm going to kick your ass." Suspect Pham moved backwards towards the front door of the location. Deputy [redacted] believed Suspect Pham was preparing to assault them and retreat back into his home.

Deputy [redacted] grabbed for Suspect Pham's right hand in attempt to control and handcuff him, but he pulled it away. Deputy [redacted] saw Deputy Opina grab hold of Suspect Pham's left arm as Suspect Pham was pulling away. At one point Suspect Pham punched at Deputy Opina with his right hand. Suspect Pham and Deputy Opina moved backwards towards the garage wall. Suspect Pham's right side and back were against the wall, and Deputy [redacted] attempted to grab hold of his (Suspect Pham's) right hand. Deputy [redacted] realized Suspect Pham's right arm was against the wall, so he attempted to grab hold of his left arm. Suddenly both Suspect Pham and Deputy Opina went down to ground.

Deputy [redacted] saw Suspect Pham fall onto his (Suspect Pham's) right side, as Deputy Opina landed on top of him. The suspect was then handcuffed without further incident.

Deputy [redacted] said during the incident they gave Suspect Pham commands to stop fighting, but at no point did he comply until he was handcuffed.

Deputy [redacted] did not see any injuries on Suspect Pham.

Deputy [redacted] reported his use of force to Sergeant John Steele, Carson Station Summer Enforcement Team.

IAB Note: Deputy [redacted] mentioned this incident was witness by the [redacted] who was standing [redacted] of the Suspect Pham's

residence. During the course of this investigation, it was determined the witness was Mr. [redacted] The [redacted] Mr. [redacted] said he did not witness the force.

The photos used during this interview are included in this casebook with Deputy [redacted] transcripts.

For his complete statement, refer to Deputy [redacted] interview transcript included in this casebook.

SUSPECT INTERVIEW:

Suspect Ninh Pham

On September 4, 2014, Internal Affairs Bureau Sergeants Scott Graham and Louis Vigil interviewed Suspect Ninh Pham. This interview was conducted at Carson Station jail and was digitally audio recorded.

Suspect Pham said the deputies had no reason to be at his house. The deputies explained to him the reason they were going to arrest him and he showed them the paperwork he had from the court. When the deputies tried to arrest him, he got scared and tried to run back into his house.

Suspect Pham said one deputy grabbed him by the neck, took him to the ground and choked him. The deputy then stood on his back.

Suspect Pham said he was in a lot of pain as he lay on the ground.

Suspect Pham said he knew he broke his rib during this incident because he had been able to bowl earlier that day.

For his complete statement, refer to Suspect Pham's interview transcript included in this casebook.

DEPARTMENT WITNESS STATEMENTS:

None

NON-DEPARTMENT WITNESS STATEMENTS:

Mr. [redacted]

On September 3, 2014, Sergeant John Steele, Carson Station, interviewed Mr. [redacted] The interview was conducted in front of the location [redacted]

Carson) and was video recorded.

Mr. [redacted] is Suspect Pham's [redacted] and was standing in the front yard at the time of the incident.

Mr. [redacted] said the deputies stood on both sides of Suspect Pham as he (Suspect Pham) took a defensive stance and began stepping back. As they reached the corner of the garage, next to the shrubs and trees, Suspect Pham waved his arms ups. Mr. [redacted] said Suspect Pham was defending himself, because Suspect Pham believed that no one had the right to arrest him. Suspect Pham was pushed against the wall as the deputies tried to grab him. Suspect Pham resisted as the deputies had a hold on his arms. The deputy in front of Suspect Pham moved him to the right and they both went down on the ground. Suspect Pham fell backwards and the deputy landed on top of him. Suspect Pham was handcuffed with no further incident.

Mr. [redacted] did not see Suspect Pham or the deputies punch or kick each other during the incident.

For his complete statement, refer to Witness [redacted] interview transcript included in this casebook. **Refer to Exhibit "C,"** compact disk containing the video of the interview.

SUSPECT INJURIES:

Immediately following the incident, Suspect Pham refused to be examined and treated by Los Angeles County Fire Department, Engine #36, at the scene. **Refer to Exhibit "D," page 22,** treatment refusal.

Suspect Pham was transported to Torrance Memorial Hospital (3330 Lomita Boulevard, Torrance, 310-325-9110) for an "Ok to book." Suspect Pham was examined and treated by Emergency Room Staff, Doctor Gina Sulmeyer. It was discovered that Suspect Pham had two fractures to the 6th and 7th right ribs.

Sergeant John Steele, Carson Station, contacted Doctor Sulmeyer and explained the force used by deputies. Doctor Sulmeyer said the injuries would be consistent with the suspect and deputies falling onto the ground. Doctor Sulmeyer said Suspect Pham had previous fractures and 2 recent ones. She said the recent ones could have been from this incident, or may have been a couple days old. **Refer to Exhibit "A," page 10.**

IAB Note: Medical treatment documentation are included in this casebook. **Refer to Exhibit "D," page 3.**

DEPUTY PERSONNEL INJURIES:

Deputy Opina sustained abrasions to his right elbow but did not seek medical treatment.

> **IAB Note:** Photographs of Deputy Opina's injury are included in this casebook. **Refer to Exhibit "C."**

PHYSICAL EVIDENCE:

Sergeant Louis Vigil took digital photos of the scene. The photos are included in this case book. **Refer to Exhibit "C".**

> **IAB Note:** Sergeant Scott Graham took digital photos of Suspect Pham's injuries on September 3, 2014. During the transfer of downloaded digital files, the photos were lost. Attempts to recover the photos were met with negative results.

REVIEW OF RADIO TRANSMISSIONS

Sergeant Louis Vigil, Internal Affairs Bureau, reviewed the radio traffic for September 3, 2014, on Dispatch 9 and L-Tac-5. The review was conducted for radio transmissions between 1820 and 1920 hours. The times mentioned in this portion are approximates.

Dispatch 9

At 20:40 of the recording, Unit 160W2 requested 902R (medical aid) for a male/50 with back pain at [redacted] E. Bonds Street. Carson. (1913 hours).

L-Tac-5

At 02:09 of the recording, Unit 160WS (Sergeant Unit) is requested regarding an uncooperative person. (1908 hours).

> **IAB Note**: Compact Disc containing the recording of the mentioned radio traffic is included in this case book. **Refer to Exhibit "C."**

WEAPONS USED BY DEPUTY PERSONEL:

Deputies utilized personal weapons.

CRIMINAL INVESTIGATOR/CHARGES FILED

Investigator's Name: Detective Daniel Starkey
Court/Case: Compton Court / TA134944

Charges Filed: 290.012, 1170.12, and 243(b) PC
Date Filed: 9/5/14
Case Status: On going

WEATHER AND LIGHTINING CONDITIONS:

The incident occurred outside, in clear and day light condition.